

Serial No. 09/706,055
Docket No. 54317-016800

PATENT

REMARKS

In the Office Action dated June 30, 2005, the Examiner rejected claims 1-23. In particular, the Examiner rejected claims 1, 2, 5-7, 9-12, and 21-23 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,018,768 to Ullman. Further, the Examiner rejected claims 4 and 8 under 35 U.S.C. § 103(a) over Ullman. In addition, the Examiner rejected claim 3 under 35 U.S.C. § 103(a) over Ullman in view of U.S. Patent No. 6,173,317 to Chaddha. Finally, the Examiner rejected claims 13-20 under 35 U.S.C. § 103(a) over Ullman in view of U.S. Patent No. 6,340,159 to Giangrante.

Applicant submits that the pending claims are patentably distinct from Ullman. Accordingly, Applicant provides a discussion below that further explains the distinction. Applicant has also amended independent claim 9 and dependent claim 10 for clarification purposes. Irrespective of these clarifications, Applicant submits that claims 9 and 10 are patentably distinct from Ullman. In addition, Applicant has submitted new claims 24-29 which are also patentably distinct from Ullman.

Independent Claim 1

Applicant respectfully disagrees with the Examiner's interpretation of the term "code fragment" as recited in independent claim 1. In particular, the Examiner attempts to read the "code fragment" of the claims on the "URL" of Ullman. Applicant points out that the Specification explicitly excludes a URL from the term code fragment: "... the code fragments of the present invention do not contain uniform resource locators (URLs)". See Specification, page

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6, lines 20-21. Therefore, Applicant submits that the rejection of claims 1-23 should be withdrawn as the claims cannot be construed to have a code fragment which includes a URL.

Applicant will now provide further explanation as to why a code fragment is distinct from a URL. A code fragment requires an executable instruction. In other words, a code fragment instructs a processor to perform a task. On the other hand, a URL is a pointer, which is not an executable instruction. A pointer is actually an address of where data is located. Accordingly, an address does not instruct a processor to perform a task. Therefore, a code fragment is distinct from a URL.

Accordingly, Applicant submits that amended claim 1 is in condition for allowance. Further, claims 2-6, 21, and 23 are in condition for allowance because they depend from claim 1.

Independent Claim 7

Independent claim 7 recites a code fragment and is therefore patentably distinct from Ullman as discussed above. Therefore, Applicant submits that claim 7 is in condition for allowance. Further, claim 8 depends from claim 7 and is therefore also in condition for allowance.

Independent Claim 9

Amended independent claim 9 recites an enhancement that includes an instruction. As discussed above, a URL is not an instruction, but rather a pointer. Therefore, amended claim 9 is patentably distinct from Ullman. Further, claims 10-20 and 22 depend from claim 9 and are therefore also in condition for allowance.

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New Claims

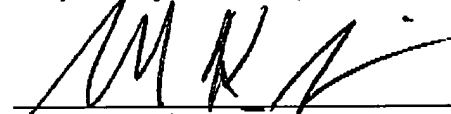
Newly added claims 24-29 recite a code fragment. For the reasons discussed above regarding a code fragment, claims 24-29 are patentably distinct from Ullman. Therefore, claims 24-29 are in condition for allowance.

Conclusion

It is respectfully submitted that all of the Examiner's objections have been successfully traversed and that the application is now in order for allowance. Accordingly, reconsideration of the application and allowance thereof is courteously solicited. Should matters remain that the Examiner believes could be resolved in a telephone interview, the Examiner is requested to telephone the Applicants' undersigned attorney at (310) 586-7755.

Authorization is hereby given to charge any additional fees or credit overpayment to Deposit Account Number 50-2638. Please reference Attorney Docket Number 54317-016800 when charging any payments or credits in connection with this application.

Respectfully submitted,


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